

NOT FOR PUBLICATION**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>JUAN CAMILO CADENA-BOTERO,</p> <p>Petitioner,</p> <p>v.</p> <p>R. THOMPSON,</p> <p>Respondent.</p>	<p>Civil Action No. 24-11224 (GC)</p> <p><u>MEMORANDUM & ORDER</u></p>
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CASTNER, District Judge

Petitioner is a federal prisoner currently incarcerated at FCI Fort Dix, Fort Dix MDL, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 1 (“Petition”).) On December 20, 2024, the Court entered a memorandum and order directing the Clerk of the Court to administratively terminate this case, without filing the Petition, and stating that, if Petitioner wishes to reopen this case, he shall so notify this Court in writing within 30 days of the date of entry of the December 20, 2024 Memorandum and Order and submit a complete, signed habeas petition on the appropriate form *and* either a complete application to proceed *in forma pauperis* (“IFP”) or the five-dollar filing fee. (ECF No. 3 at 1-2.)

A complete, signed habeas petition on the appropriate form was received on January 7, 2025. (ECF No. 4 (“Amended Petition”).)

On January 15, 2025, the Court entered a memorandum and order stating that this matter shall remain administratively terminated because the Court had not received the five-dollar filing fee or a completed IFP application. (ECF No. 5 at 1-2.) The Court stated that, if Petitioner wishes to reopen this case, he shall so notify this Court in writing within 30 days of the date of entry of

the January 15, 2025 Memorandum and Order and submit either a complete IFP application or the five-dollar filing fee, payable to the “Clerk, United States District Court.” (*Id.* at 2.)

On February 5, 2025, the Court received the five-dollar filing fee.

In accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to Section 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, this Court has screened the Amended Petition for dismissal and determined that dismissal without an answer and the record is not warranted.

IT IS, therefore, on this day 18th of March 2025, **ORDERED** as follows:

ORDERED that the Clerk of the Court shall **REOPEN** this matter; and it is further

ORDERED that the Clerk of the Court shall serve a copy of the Amended Petition (ECF No. 4), the original Petition (ECF No. 1), the Exhibit to the original Petition (ECF No. 2), and this Memorandum and Order on Respondent by regular U.S. mail, with all costs of service advanced by the United States; and it is further

ORDERED that the Clerk of the Court shall forward a copy of the Amended Petition (ECF No. 4), the original Petition (ECF No. 1), the Exhibit to the original Petition (ECF No. 2), and this Memorandum and Order to the Chief, Civil Division, United States Attorney’s Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further


ORDERED that within forty-five (45) days of the date of the entry of this Memorandum and Order, Respondent shall file and serve a response which responds to the allegations and grounds in the Amended Petition and which includes all affirmative defenses Respondent seeks to invoke; and it is further

ORDERED that Respondent shall file and serve with the response certified copies of all documents necessary to resolve Petitioner’s claims and affirmative defenses; and it is further

ORDERED that within forty-five (45) days of receipt of the response, Petitioner may file a reply to the response; and it is further

ORDERED that within seven (7) days of Petitioner's release, Respondent shall electronically file a written notice of the same with the Clerk of the Court; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Memorandum and Order on Petitioner by regular U.S. mail.


GEORGETTE CASTNER
United States District Judge